

[FR Doc. E8-23353 Filed 10-3-08; 8:45 am]

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal Nos. 08-79]

**36(b)(1) Arms Sales Notification**

**AGENCY:** Department of Defense, Defense Security Cooperation Agency.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. B. English, DSCA/DBO/CFM, (703) 601-3740.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittals 08-79 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: September 25, 2008.

**Patricia L. Toppings,**  
*OSD Federal Register Liaison Officer,*  
*Department of Defense.*

BILLING CODE 5001-06-M



**DEFENSE SECURITY COOPERATION AGENCY  
2800 DEFENSE PENTAGON  
WASHINGTON, DC 20301-2800**

**SEP 08 2008**

**In reply refer to:  
USP008297-08**

**The Honorable Nancy Pelosi  
Speaker of the House of Representatives  
Washington, DC 20515-6501**

**Dear Madam Speaker:**

**Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 08-79, concerning the Department of the Army's proposed Letter(s) of Offer and Acceptance to the United Arab Emirates for defense articles and services estimated to cost \$121 million. After this letter is delivered to your office, we plan to issue a press statement to notify the public of this proposed sale.**

**Sincerely,**

A handwritten signature in black ink, appearing to read "Jeffrey A. Wieringa".

**Jeffrey A. Wieringa  
Vice Admiral, USN  
Director**

**Enclosures:**

- 1. Transmittal**
- 2. Policy Justification**
- 3. Sensitivity of Technology**

**Same ltr to:**

**House**

**Committee on Foreign Affairs  
Committee on Armed Services  
Committee on Appropriations**

**Senate**

**Committee on Foreign Relations  
Committee on Armed Services  
Committee on Appropriations**

**Transmittal No. 08-79****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act**

- (i) **Prospective Purchaser:** United Arab Emirates
- (ii) **Total Estimated Value:**
- |                          |                      |
|--------------------------|----------------------|
| Major Defense Equipment* | \$ 80 million        |
| Other                    | \$ <u>41 million</u> |
| TOTAL                    | \$121 million        |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** 4 PATRIOT Advanced Capability (PAC-3) Intercept Aerial Missiles with containers, 19 MIM-104D Guided Enhanced Missiles-T with containers (GEM-T), 5 Anti-Tactical Missiles, and 5 PATRIOT Digital Missiles. These missiles are for lot validation and testing of the PAC-3 missiles notified for sale in Transmittal Number 08-17. Also included: AN/GRC-245 Radios, Single Channel Ground and Airborne Radio Systems (SINCGARS Export), power generation equipment, electric power plant, trailers, communication and support equipment, publications, spare and repair parts, repair and return, United States Government and contractor technical assistance and other related elements of logistics support.
- (iv) **Military Department:** Army (ZUG, Amd #1)
- (v) **Prior Related Cases, if any:** FMS case ZUG-\$6.4B-pending
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached
- (viii) **Date Report Delivered to Congress:** SEP 0 8 2008

\* as defined in Section 47(6) of the Arms Export Control Act.

## **POLICY JUSTIFICATION**

### **United Arab Emirates – PATRIOT Advanced Capability-3 Missile System**

**The Government of the United Arab Emirates has requested a possible sale of 4 PATRIOT Advanced Capability (PAC-3) Intercept Aerial Missiles with containers, 19 MIM-104D Guided Enhanced Missiles-T with containers (GEM-T), 5 Anti-Tactical Missiles, and 5 PATRIOT Digital Missiles. These missiles are for lot validation and testing of the PAC-3 missiles notified for sale in Transmittal Number 08-17. Also included: AN/GRC-245 Radios, Single Channel Ground and Airborne Radio Systems (SINCGARS Export), power generation equipment, electric power plant, trailers, communication and support equipment, publications, spare and repair parts, repair and return, United States Government and contractor technical assistance and other related elements of logistics support. The estimated cost is \$121 million.**

**This proposed sale will contribute to the foreign policy and national security of the United States by helping to improve the security of a friendly country, which has been, and continues to be, an important force for political stability and economic progress in the Middle East.**

**The proposed sale of the weapons will strengthen the effectiveness and interoperability of a potential coalition partner, reduce the dependence on U.S. forces in the region and enhance any coalition operations the U.S. may undertake. The United Arab Emirates will have no difficulty absorbing these additional munitions into its armed forces. The proposed sale of these weapon systems will not affect the basic military balance in the region.**

**The principal contractors are the Raytheon Corporation in Andover, Massachusetts; and Lockheed-Martin in Dallas, Texas. The purchaser intends to request offsets; however, agreements are undetermined and will be defined in negotiations between the purchaser and contractor.**

**Implementation of this proposed sale will require the assignment of U.S. Government or contractor representatives to the United Arab Emirates. An in-country field office will likely be manned by one to four U.S. Government personnel who will remain in country for an undetermined length of time. A total of 65 contractor personnel are expected to be in country for an extended period for training purposes.**

**There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.**

**Transmittal No. 08-79****Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act****Annex  
Item No. vii****(vii) Sensitivity of Technology:**

**1. The PATRIOT Air Defense System contains components and critical/sensitive technology that is classified Confidential. The PATRIOT Advanced Capability-3 (PAC-3) Configuration 3 Missile System is classified Secret. With the incorporation of the PAC-3 Missile, the PATRIOT System will continue to hold a significant technology lead over other surface-to-air missile systems in the world.**

**a. The PATRIOT (Phased Array Tracking Intercept of Target) Missile system is a long range, lower tier, all altitude, all weather air defense system fielded to counter advanced aircraft, Tactical Ballistic Missiles (TBMs), and Cruise Missiles. The PATRIOT system has multiple engagement capability to counter saturation air attacks in an advance electronic countermeasures environment. The PATRIOT Advanced Capability-3 (PAC-3) Configuration 3 upgrade program incorporates significant upgrades to the phased array radar and Engagement Control Station and adds the new PAC-3 Missile.**

**b. A PATRIOT fire unit consists of a phased array Radar Set (RS), Engagement Control Station (ECS), an Electric Power Plant (EPP), an Antenna Mast Group (AMG), a Communications Relay Group (CRG), and Launching Stations (LS). The Phased Array Radar provides all tactical functions of airspace surveillance, target detection, identification, classification, tracking, missile guidance and engagement support. The ESC provides the human interface for command and control of operations. The ECS contains weapons control computer, human-machine interface and data and communication terminals. The EPP provides prime power for the ECS and RS. It consists of two 150Kw 400 Hz diesel-driven generators interconnected through power distribution units. The Antenna Mast Group (AMG) is a mobile antenna system associated with UHF communication equipment. The AMG has the capacity to extend the mast with pneumatic extension to heights of 94 feet. The Communications Relay Group (CRG) provides a radio relay (UHF) for the PATRIOT Battalions and interfaces directly with co-located AMGs. The Launching Station (LS) is a remotely controlled, self-contained unit that can transport, point, and launch the PATRIOT Missiles.**

**2. The PAC-3 Missile sensitive/critical technology is primarily in the area of design and production know-how and primarily inherent in the design, development and/or manufacturing data related to the following components:**

- a. PAC-3 Missile Guidance Processor Unit**
- b. PAC-3 Missile software**
- c. PAC-3 Missile associated ground equipment software**

**Information on vulnerability to electronic countermeasures and counter-counter measures, system performance capabilities and effectiveness, survivability and vulnerability data, PAC-3 Missile seeker capabilities, non-cooperative target recognition, low observable technologies, select software documentation and test data are classified up to Secret. Information on operational effectiveness with respect to electronic countermeasures and counter-counter measures, low observable technologies, select software documentation and test data are classified up to and including Secret.**

**3. The Guidance Enhanced Missile (GEM) is an enhancement to the PAC-2 Missile that provides improved system effectiveness and lethality against both high speed Tactical Ballistic Missiles (TBMs) and also reduced radar cross section (RCS) and low-flying air breathing targets (ABTs). The GEM hardware change consists of modifying the seeker assembly and radio frequency (RF) receiver by incorporating a low noise C-Band amplifier in the receiver's front-end to improve signal sensitivity, which provides an improved signal to noise ratio. This results in increased acquisition range and longer terminal guidance periods against very fast and/or reduced RCS targets. The GEM improvement reduces boresight error, miss distance, and reaction time. The GEM-T Missile incorporates a new fuze design to further improve reaction time.**

**4. If a technologically advanced adversary were to obtain knowledge of the specific hardware in the proposed sale, the information could be used to develop countermeasures which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.**

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Transmittal Nos. 08-82]

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September 25, 2008.

**Patricia L. Toppings,**  
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